

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

DOUGLAS N. MODLIN, JOHN C. OWICKI,  
JONATHAN F. PETERSEN, TODD E. FRENCH,  
CARL L. WRIGHT, JEANNE A. RUIZ,  
and LORNE E. BECHTEL

Examiner Karl D. Frech

Serial No. : 09/710,061

Group Art Unit 2876

Filed : November 10, 2000

For : MULTI-MODE LIGHT DETECTION SYSTEM

Commissioner for Patents  
Washington, D.C. 20231

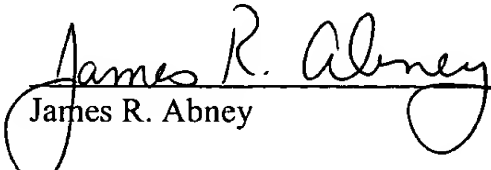
Sir:

**DECLARATION OF JAMES R. ABNEY**

I, James R. Abney, attorney for applicants, hereby declare that the amendatory material (Appendices A-H) added today by amendment to the above-identified patent application consists of the same material incorporated by reference in the application (updated to reflect changes in the status of incorporated applications since filing).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: January 13, 2003

  
James R. Abney